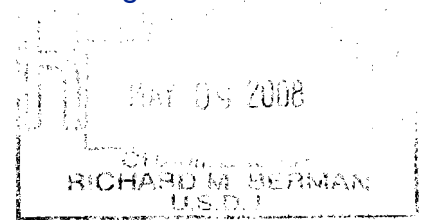


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May 8, 2008

**VIA HAND DELIVERY**

The Honorable Richard M. Berman  
United States District Judge  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**

P2

Re: WPP Properties and WPP Group USA, Inc. v. John Doe  
08-CV-2873 (RMB)

Dear Judge Berman:

This firm represents the plaintiffs WPP Properties and WPP Group USA, Inc. ("WPP") in the above matter. WPP previously requested that Your Honor adjourn the initial pre-trial conference that had originally been scheduled on April 15, 2008, because WPP had not yet effectuated service on a named defendant in this case. Your Honor granted WPP's request and adjourned the conference until May 19, 2008. We write to request a further adjournment of the pre-trial conference as WPP has still not yet effectuated service of the Complaint.

As previously advised, WPP commenced the instant action because it believes it is the victim of a phishing scam. Specifically, WPP has received at least 9 email communications in which an unknown individual misuses the WPP mark and fraudulently offers employment opportunities with "WPP Group" and/or attempts to solicit personal information from the email recipients. This unknown user, however, was using a G-Mail (Google email) address in these emails. WPP commenced this action against a John Doe so it could issue a subpoena to Google in an effort to discover the identity of this John Doe. WPP served its subpoena on Google immediately upon receipt of the above index number. WPP promptly received a response from Google to its subpoena. Unfortunately, however, WPP did not receive information from Google that provides specific information about the identity of the John Doe in this action. In fact, the information it received suggests that the John Doe fraudster has stolen the identity of an individual in order to open the G-Mail accounts.

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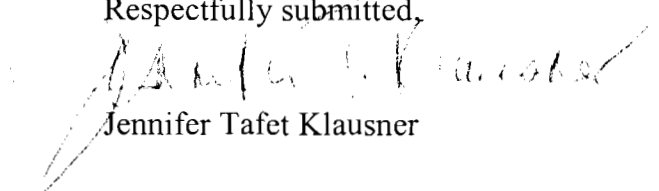
Honorable Richard M. Berman  
May 8, 2008  
Page 2

WPP is currently engaging in its own investigation based on some of the materials that Google provided and is preparing additional subpoenas that may result in production of more specific information about the identity of the John Doe in this action.

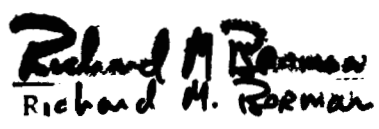
Accordingly, WPP requests that the initial pre-trial conference in this matter be adjourned, once again, until after it is able to name and serve a defendant in this case. In the event WPP's investigative efforts are not fruitful, we will promptly advise the Court and discontinue the instant action without prejudice to refile when WPP has sufficient information to name a defendant.

Thank you in advance for your attention to this matter.

Respectfully submitted,

  
Jennifer Tafet Klausner

JTK/lk

<u>Final for service on 7/7/08</u>	
<u>@ 9:00 AM conference.</u>	
SO ORDERED:	 Richard M. Berman
Date: <u>5/9/08</u>	